

## **REMARKS**

### **I. General**

The issues outstanding in the instant application are as follows:

- The Final Office Action has indicated that the election made February 27, 2003 was made without traverse;
- Claims 10, 22, 24, 25, 43, 44 and 52 stand rejected under 35 U.S.C. §103(a) as unpatentable over Terai, Japanese Patent No. 06152301A (hereinafter *Terai*) in view of Russell, U.S. Pat. No. 3,453,564 (hereinafter *Russell*); and
- Claim 45 is objected to as being dependent upon a rejected base claim.

### **II. Election/Restriction**

The Office Action indicates that the February 27, 2003 response to the Restriction Requirement dated January 27, 2003 was made without traverse. However, Applicant again wishes to respectfully point out that the Election was made with traverse and that Applicant distinctly and specifically pointed out errors in the restriction requirement as required by M.P.E.P. 818.03(c).

### **III. Amendments to the Claims**

Above, Applicant has proposed canceling unallowed claims 10, 22, 24, 25, 43, 44 and 52 and has presented proposed amendments to allowable claim 45, placing it in independent form. Whereas these amendments only cancel claims and comply with the Final Office Action's suggestion to place claim 45 in independent form, thereby placing the application in condition for allowance, Applicant respectfully requests that the Examiner enter these amendments pursuant to 37 CFR 1.116(b)(1).

**IV. Conclusion**

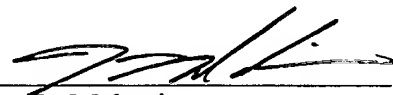
In view of the above amendments, Applicant believes the pending application is in condition for allowance.

As indicated in the accompanying transmittal, Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 06-2380, under Order No. 49581/P030US/10104106, from which the undersigned is authorized to draw.

Finally, Applicant respectfully requests that the Examiner call the below listed attorney if the Examiner believes that the attorney can be helpful in resolving any remaining issues or can otherwise be helpful in expediting allowance of the present application.

Dated: February 23, 2005

Respectfully submitted,

By   
Jerry L. Mahurin  
Registration No.: 34,661  
FULBRIGHT & JAWORSKI L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201-2784  
(214) 855-8386  
(214) 855-8200 (Fax)  
Attorney for Applicant